

12-07-01

A

Attorney Docket P1042C1
PATENTJ1000 U.S. PTO
10/005306

11/07/01

CERTIFICATION UNDER 37 CFR 1.10

EL 599 583 175 US: Express Mail Number

November 7, 2001: Date of Deposit

I hereby certify that this Non-provisional Application Transmittal and the documents referred to as enclosed therein are being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to the Assistant Commissioner of Patents, Washington, D.C. 20231.



Aida Gulam

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

BOX PATENT APPLICATION
Assistant Commissioner of Patents
Washington, D.C. 20231

NON-PROVISIONAL APPLICATION TRANSMITTAL UNDER 37 CFR 1.53(b)

Transmitted herewith for filing is a non-provisional patent application:

Inventor(s) (or Application "Identifier"):

Robert A. Lazarus,
Clark Q. Pan

Title: **Human DNase I Hyperactive Variants****1. Type of Application**

- ☐ This application is for an original, non-provisional application.
- ☐ This is a non-provisional application claiming priority to provisional application no. __, filed __, the entire disclosure of which is hereby incorporated by reference.
- ☒ This is a ☐ continuation-in-part ☒ continuation ☐ divisional application claiming priority to application Serial Number 08/663,831, filed June 14, 1996, the entire disclosure of which is hereby incorporated by reference.

2. Papers Enclosed Which Are Required For Filing Date Under 37 CFR 1.53(b) (Non-provisional)

19 pages of specification
2 pages of claims
1 page(s) of abstract
4 sheet(s) of drawings
☐ formal ☒ informal

1005306 110701

J1048 U.S. PTO

3. Declaration or Oath

(for new and CIP applications; also for Cont./Div. where inventor(s) are being added)
___ An executed declaration of the inventor(s) ☐ is enclosed ☒ will follow.

(for Cont./Div. where inventorship is the same or inventor(s) being deleted)
X A copy of the executed declaration/oath filed in the prior application is enclosed (37 CFR 1.63(d)).

(for Cont./Div. where inventor(s) being deleted)
___ A signed statement is attached deleting inventor(s) named in the prior application (see 37 CFR 1.63(d)(2) and 1.33(b)).

4. Assignment

(for new and CIP applications)
___ An Assignment of the invention to GENENTECH, INC. ☐ is enclosed with attached Recordation Form Cover Sheet ☐ will follow.

(for cont./div.)
x The prior application is assigned of record to Genentech, Inc.

5. Amendments (for continuation and divisional applications)

x Cancel in this application original claims 1-20 of the prior application before calculating the filing fee. (At least one original independent claim must be retained for filing purposes.)

x A preliminary amendment is enclosed. (Claims added by this amendment have been properly numbered consecutively beginning with the number next following the highest numbered original claim in the prior application.)

Relate Back -- 35 U.S.C. 120 or 35 U.S.C. 119

X Amend the specification by inserting before the first line the sentence:

--This is a

___ non-provisional application
x continuation
___ divisional
___ continuation-in-part

of co-pending application(s)

x Serial No. 08/663,831 filed on June 14, 1996, which application is incorporated herein by reference and to which application priority is claimed under 35 USC §120. --
___ International Application filed on which designated the U.S., which application(s) is(are) incorporated herein by reference and to which application(s) priority is claimed under 35 USC

_____ §120.--
 _____ provisional application No. _ filed __, the entire disclosure of which is hereby incorporated by reference and to which application(s) priority is claimed under 35 USC §119.--.

6. Fee Calculation (37 CFR 1.16)

The fee has been calculated as follows:

CLAIMS FOR FEE CALCULATION					
Number Filed		Number Extra		Rate	Basic Fee 37 CFR 1.16(a)
					\$740.00
Total Claims	3	- 20 =	0	X \$18.00	\$0.00
Independent Claims	3	- 3 =	0	X \$80.00	\$0.00
_____ Multiple dependent claim(s), if any				+ \$270.00	\$0.00
Filing Fee Calculation					\$740.00

7. Method of Payment of Fees

The Commissioner is hereby authorized to charge Deposit Account No. 07-0630 in the amount of \$740.00. **A duplicate copy of this transmittal is enclosed.**

8. Authorization to Charge Additional Fees

The Commissioner is hereby authorized to charge any additional fees required under 37 CFR §1.16 and 1.17, or credit overpayment to Deposit Account No. 07-0630. **A duplicate copy of this sheet is enclosed.**

9. Additional Papers Enclosed

- ☐ Information Disclosure Statement (37 CFR §1.98) w/ PTO-1449 and citations
- ☐ Submission of "Sequence Listing", computer readable copy, certificate re: sequence listing, and/or amendment pertaining thereto for biological invention containing nucleotide and/or amino acid sequence.
- ☒ A new Power of Attorney or authorization of agent.
- ☒ Other: Limited Recognition Under 37 CFR § 10.9(b)*

10. Maintenance of Copendency of Prior Application (for continuation and divisional applications)

[This item must be completed and the necessary papers filed in the prior application if the period set in the prior application has run]

- _____ A petition, fee and/or response has been filed to extend the term in the pending prior application until
- ☒ A copy of the petition for extension of time in the **prior** application is attached.

100500-100500

11. **Correspondence Address:**

X Address all future communications to:

Attn: David Evans

Respectfully submitted,
GENENTECH, INC.

Date: November 7, 2001

By: _____

David Evans

Reg. No. *

Telephone No. (650) 225-1739



09157

PATENT TRADEMARK OFFICE

10005306-10701
10201-9025001

*A copy of a document pursuant to 37 C.F.R. § 10.9(b) is attached as proof of the authorization of the above to prosecute the attached application.
The original of this document is on file in the Office of Enrollment and Discipline

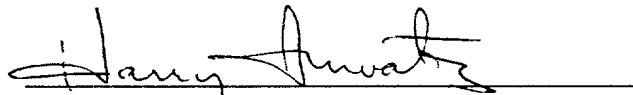
**BEFORE THE OFFICE OF ENROLLMENT AND DISCIPLINE
UNITED STATES PATENT AND TRADEMARK OFFICE**

LIMITED RECOGNITION UNDER 37 CFR § 10.9(b)

David Evans is hereby given limited recognition, *nunc pro tunc* from June 21, 2001, under 37 CFR § 10.9(b) as an employee of Genentech, Inc. to prepare and prosecute patent applications in which Genentech, Inc. is the assignee of record of the entire interest. This limited recognition shall expire on the date appearing below, or when whichever of the following events first occurs prior to the date appearing below: (i) David Evans ceases to lawfully reside in the United States, (ii) David Evans's employment with Genentech, Inc. ceases or is terminated, or (iii) David Evans ceases to remain or reside in the United States on an H1B visa.

This document constitutes proof of such recognition. The original of this document is on file in the Office of Enrollment and Discipline of the United States Patent and Trademark Office.

Expires: June 21, 2002



Harry I. Moatz

Director of Enrollment and Discipline

1005306-10704